

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>OPERATING ENGINEERS CONSTRUCTION INDUSTRY AND MISCELLANEOUS PENSION FUND, Individually and on Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>ITT EDUCATIONAL SERVICES, INC., <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 10-civ-8323 <b>LEAD CASE</b></p> <p>Hon. Victor Marrero</p>
<p>ANTONIO COSING, Derivatively and on Behalf of ITT EDUCATIONAL SERVICES, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>KEVIN M. MODANY, <i>et al.</i>,</p> <p style="text-align: center;">Defendants,</p> <p style="text-align: center;">and</p> <p>ITT EDUCATIONAL SERVICES, INC.,</p> <p style="text-align: center;">Nominal Defendant.</p>	<p>Case No. 10-civ-8597</p> <p>Hon. Victor Marrero</p>
<p>J. KENT GREGORY, Derivatively on behalf of ITT EDUCATIONAL SERVICES, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>KEVIN M. MODANY, <i>et al.</i>,</p> <p style="text-align: center;">Defendants,</p> <p style="text-align: center;">and</p> <p>ITT EDUCATIONAL SERVICES, INC.,</p> <p style="text-align: center;">Nominal Defendant.</p>	<p>Case No. 10-civ-9084</p> <p>Hon. Victor Marrero</p>
<p>This document relates to All Consolidated Cases</p>	

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**ORDER**

Upon consideration of the Notice of Motion for Admission *Pro Hac Vice*, and the declaration submitted in support thereof, and good cause having been shown, it is SO ORDERED that Wayne W. Smith, Joseph P. Busch, III and Ryan B. Sorahan are admitted to the bar of this Court *pro hac vice* this 4<sup>th</sup> day of January 2011. ~~December 2010.~~



HONORABLE VICTOR MARRERO  
United States District Judge